

House Committee on Health and Welfare

Minutes of Meeting
2020 Regular Session
May 19, 2020

I. CALL TO ORDER

Representative Lawrence A. "Larry" Bagley, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:00 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley, chairman
Representative Christopher Turner, vice chairman
Representative Roy Daryl Adams
Representative Kenny R. Cox
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Jason Hughes
Representative C. Travis Johnson
Representative Ed Larvadain III
Representative Wayne McMahan
Representative Dustin Miller
Representative Patricia "Pat" Moore
Representative Robert "Bob" Owen
Representative Thomas A. Pressly
Representative Larry Selders
Representative Joseph A. Stagni

MEMBERS ABSENT:

Representative Robby Carter
Representative Julie Emerson

STAFF MEMBERS PRESENT:

Shayla Cockerm, attorney
Drew Murray, legislative analyst
Felicie Jackson, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 608 by Representative Jordan**

This is a continuation of the discussion on House Bill No. 608 from May 13, 2020. Please check for the prior action to complete the record of discussion and motions on House Bill No. 608.

Further action was taken by the committee on House Bill No. 608 later in this meeting. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 608.

Representative Bagley announced that action on House Bill No. 608, which provides relative to the regulation of pharmacy benefit managers, was voluntarily deferred.

Senate Bill No. 198 by Senator Peacock

Senator Peacock presented Senate Bill No. 198, which designates the month of September as Childhood Cancer Awareness Month.

Representative Hughes offered a motion to report Senate Bill No. 198 favorably. Without objection, Senate Bill No. 198 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 67 by Representative Huval

Representative Huval presented House Concurrent Resolution No. 67, which requests a study concerning costs and benefits of Dept. of Children and Family Services and Louisiana Dept. of Health establishing or reestablishing parish offices.

Chip Coulter, Department of Children and Family Services, 627 N. 4th St, Baton Rouge, LA 70802, (225) 342-5573, spoke for information only on House Concurrent Resolution No. 67.

Representative Turner offered a motion to involuntarily defer action on House Concurrent Resolution No. 67. Without objection, action on House Concurrent Resolution No. 67 was involuntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Selders voted yea.

House Resolution No. 37 by Representative Stagni

Representative Stagni presented House Resolution No. 37, which urges the Conservative Care Program as a pilot program among healthcare providers and health insurers to address opioid misuse.

Representative Bagley offered a motion to report House Resolution No. 37 favorably. Without objection, House Resolution No. 37 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

Senate Concurrent Resolution No. 25 by Senator Foil

Senator Foil presented Senate Concurrent Resolution No. 25, which reconstitutes and extends the deadlines of the Task Force on Protecting Children from Exposure to Pornography.

Representative Bagley offered amendments, which change the reporting date from January 1, 2021, to May 1, 2021. Representative Bagley offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Selders voted yea.

Representative Hughes offered a motion to report Senate Concurrent Resolution No. 25 with amendments. Without objection, Senate Concurrent Resolution No. 25 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Selders voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 84 by Representative Echols

Representative Echols presented House Concurrent Resolution No. 84, which requests that data on timeliness of provider payments be included in the Healthy Louisiana Claims Report.

Representative Echols offered a motion to voluntarily defer action on House Concurrent Resolution No. 84. Without objection, action on House Concurrent Resolution No. 84 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Selders voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 83 by Representative Echols

Representative Echols presented House Concurrent Resolution No. 83, which requests a study of the costs and benefits of setting Medicaid reimbursement rates for primary care services equivalent to Medicare rates for those services.

Representative Echols offered a motion to report House Concurrent Resolution No. 83 favorably. Without objection, House Concurrent Resolution No. 83 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Turner, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, and Selders voted yeas.

House Bill No. 813 by Representative Frieman

Representative Frieman presented House Bill No. 813, which provides relative to licensing fees for vocational rehabilitation counselors.

Representative Stagni offered a motion to report House Bill No. 813 favorably. Without objection, House Bill No. 813 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Robert Owen, Pressly, Selders, and Stagni voted yeas.

House Resolution No. 38 by Representative Crews

Representative Crews presented House Resolution No. 38, which urges and requests the La. Department of Health to study and develop a remote patient monitoring initiative in the state Medicaid program.

Representative Crews offered a motion to report House Resolution No. 38 favorably. Without objection, House Resolution No. 38 was reported favorably by a vote of 13 yeas and 0 nays.

Representatives Bagley, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Robert Owen, Pressly, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

Senate Bill No. 53 by Senator McMath

Senator McMath presented Senate Bill No. 53, which provides for therapeutic group homes licensed by the Louisiana Department of Health.

Representative Hughes offered a motion to report Senate Bill No. 53 favorably. Without objection, Senate Bill No. 53 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

House Bill No. 596 by Representative Ivey

This is a continuation of the discussion on House Bill No. 596 from May 13, 2020. Please check for the prior action to complete the record of discussion and motions on House Bill No. 596.

Representative Ivey presented House Bill No. 596, which provides relative to nonconsensual pelvic or rectal examinations by healthcare providers and medical students.

Dr. Vincent Culotta, Louisiana State Board of Medical Examiners, 630 Camp St, New Orleans, LA 70122, (504) 905-2719, spoke for information only on House Bill No. 596.

Morgan Lamandre, Sexual Trauma Awareness & Response, 5615 Corporate Blvd, Ste 200, Baton Rouge, LA 70808, (225) 615-7093, spoke in support of House Bill No. 596.

Mariah Bowen, Louisiana State Medical Society, 6767 Perkins Rd, Ste 100, Baton Rouge, LA 70808, (225) 763-2319, spoke in opposition to House Bill No. 596.

Greg Waddell, Governmental and Regulatory Affairs, Louisiana Hospital Association, 9521 Brookline Ave, Baton Rouge, LA 70809, (225) 333-0800, spoke in opposition to House Bill No. 596.

Representative Dustin Miller offered a motion to report House Bill No. 596 with amendments, to which Representative Pressly objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 7 yeas and 8 nays. Representatives Cox, Hughes, Larvadain, Dustin Miller, Moore, Selders, and Stagni voted yea. Representatives Turner, Adams, Crews, Echols, Travis Johnson, McMahan, Robert Owen, and Pressly voted nay.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 5 in support. Copies of these statements are included in the committee records.

House Concurrent Resolution No. 91 by Representative Landry

Representative Landry presented House Concurrent Resolution No. 91, which requests a study of the adequacy of health services provided to persons incarcerated in state correctional facilities.

Representative Hughes offered a motion to report House Concurrent Resolution No. 91 favorably. Without objection, House Concurrent Resolution No. 91 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 363 by Representative Duplessis

Representative Duplessis presented House Bill No. 363, which creates and provides for a retired volunteer dental hygienist license.

Representative Bagley offered amendments which deletes the previous requirement for a retired volunteer dental hygienist to maintain compliance with Louisiana State Board of Dentistry continuing education requirements and cardiopulmonary resuscitation (CPR) training, and exempts a retired volunteer dental hygienist who does not practice more than 250 hours in a calendar year from maintaining continuing education requirements, but requires a retired volunteer dental hygienist to maintain his CPR training. Representative Bagley offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Representative Cox offered a motion to report House Bill No. 363 with amendments. Without objection, House Bill No. 363 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

Senate Concurrent Resolution No. 61 by Senator Hewitt

Senator Hewitt presented Senate Concurrent Resolution No. 61, which recognizes May 2020 as Louisiana Abortion Recovery Awareness Month and commends pro-life groups for their service to women suffering from abortion related trauma.

Cynthia Collins, Louisiana Abortion Recovery, 550 Gause Blvd, Slidell, LA 70458, (985) 774-4610, spoke in support of Senate Concurrent Resolution 61.

Representative Bagley offered a motion to report Senate Concurrent Resolution No. 61 favorably. Without objection, Senate Concurrent Resolution No. 61 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Turner, Adams, Crews, Echols, Hughes, Travis Johnson, McMahan, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 435 by Representative Jordan

This is a continuation of the discussion on House Bill No. 435 from May 13, 2020. Please check for the prior action to complete the record of discussion and motions on House Bill No. 435.

Representative Jordan presented House Bill No. 435, which provides relative to nonconsensual pelvic or rectal examinations by health care providers and medical students.

Representative Dustin Miller offered a motion to report House Bill No. 435 favorably, to which Representative Pressly objected. The administrative assistant called the roll, and House Bill No. 435 was reported favorably by a vote of 8 yeas, 2 nays, and 1 abstention. Representatives Turner, Adams, Hughes, Travis Johnson, Dustin Miller, Moore, Selders, and Stagni voted yea. Representatives McMahan and Pressly voted nay. Representative Bagley abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 5 in support. Copies of these statements are included in the committee records.

House Bill No. 836 by Representative Jordan

This is a continuation of the discussion on House Bill No. 836 from May 13, 2020. Please check for the prior action to complete the record of discussion and motions on House Bill No. 836.

Representative Jordan presented House Bill No. 836, which provides relative to waiver of certain dental licensing requirements during a declared state of emergency.

Arthur Hickham, Louisiana State Board of Dentistry, P.O. Box 5256, Baton Rouge, LA 70821, (225) 219-7330, spoke for information only on House Bill No. 836.

Representative Dustin Miller offered a motion to report House Bill No. 836 favorably. Without objection, House Bill No. 836 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Echols, Hughes, Travis Johnson, McMahan, Dustin Miller, Moore, Robert Owen, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

House Bill No. 608 by Representative Jordan

This is a continuation of the discussion on House Bill No. 608 from May 13, 2020 and earlier in this meeting. Please check for the prior action to complete the record of discussion and motions on House Bill No. 608.

Representative Jordan presented House Bill No. 608, which provides relative to the regulation of pharmacy benefit managers.

Robert Reiger, Jr., Adams and Reese, LLP, 450 Laurel St, Ste 1900, Baton Rouge, LA 70801, (225) 336-5200, spoke in support of House Bill No. 608.

Randal Johnson, Louisiana Independent Pharmacies Association, 543 Spanish Town Rd, Baton Rouge, LA 70802 (225) 938-3738, spoke in opposition to House Bill No. 608.

Bernard LeBas, Louisiana Independent Pharmacies Association, P.O. Box 370, Ville Platte, LA 70586, (337) 831-7633, spoke in opposition to House Bill No. 608.

Robert Hollier, Hollier & Family Pharmacy, 1456 E Bridge St, Breaux Bridge, LA 70507, (337) 280-7250, spoke in opposition to House Bill No. 608.

Representative Bagley offered a motion to voluntarily defer action on House Bill No. 608. Without objection, action on House Bill No. 608 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, and 12 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 163 in opposition. Copies of these statements are included in the committee records.

The committee stood at east at 10:56 a.m. The committee reconvened at 11:00 a.m.

House Bill No. 822 by Representative Robby Carter

On behalf of Representative Robby Carter, Marolon Mangham, Louisiana Association of Substance Abuse Counselors and Trainers, P O Box 80235, Baton Rouge, LA 70898, (225) 766-2992, presented House Bill No. 822, which revises the Addictive Disorders Practice Act.

Representative Bagley offered amendments, which make technical changes. Representative Bagley offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Cox, Crews, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Representative Adams offered a motion to report House Bill No. 822 with amendments. Without objection, House Bill No. 822 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Drew Murray, Legislative Analyst to the House Committee on Health and Welfare, made an announcement that the committee would continue to receive statutorily mandated reports until House

Bill No. 6, authored by Representative G. Miller, continues through the legislative process, and that Chairman Bagley would be filing a House Resolution to express the will of the committee regarding reports.

VI. ADJOURNMENT

Representative Selders offered a motion to adjourn. Without objection, the motion passed by a vote of 15 yeas and 0 nays. Representatives Bagley, Turner, Adams, Cox, Crews, Echols, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

Chairman Lawrence A. "Larry" Bagley
House Committee on Health and Welfare

Date adopted: October 20, 2020